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PTO/SB/21 (01-08)

Approved for use through 01/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |   |                        |                        |
|--|---|------------------------|------------------------|
|  |   | Application Number     | 10/822,556-Conf. #2616 |
|  |   | Filing Date            | April 12, 2004         |
|  |   | First Named Inventor   | Masashi Enomoto        |
|  |   | Art Unit               | 1795                   |
|  |   | Examiner Name          | A. J. Hall             |
| Total Number of Pages in This Submission | 6 | Attorney Docket Number | S1459.70088US00        |

### ENCLOSURES (Check all that apply)

|   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Receipt Postcard<br>Japanese Office Action dated December 4, 2007<br>Copies of Cited References |
| Remarks   |  |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

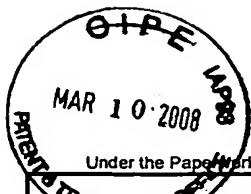
|              |                                |          |        |
|--------------|--------------------------------|----------|--------|
| Firm Name    | WOLF, GREENFIELD & SACKS, P.C. |          |        |
| Signature    |                                |          |        |
| Printed name | Randy J. Pritzker              |          |        |
| Date         | 3-6-08                         | Reg. No. | 35,986 |

### Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 3-6-08

Signature:



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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2008

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **(\$)** **180.00**

| Complete if Known    |                        |
|----------------------|------------------------|
| Application Number   | 10/822,556-Conf. #2616 |
| Filing Date          | April 12, 2004         |
| First Named Inventor | Masashi Enomoto        |
| Examiner Name        | A. J. Hall             |
| Art Unit             | 1795                   |
| Attorney Docket No.  | S1459.70088US00        |

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 23/2825 Deposit Account Name: Wolf, Greenfield & Sacks, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| <u>Application Type</u> | <u>FILING FEES</u> |                     | <u>SEARCH FEES</u> |                     | <u>EXAMINATION FEES</u> |                     | <u>Fees Paid (\$)</u> |
|-------------------------|--------------------|---------------------|--------------------|---------------------|-------------------------|---------------------|-----------------------|
|                         | <u>Fee (\$)</u>    | <u>Small Entity</u> | <u>Fee (\$)</u>    | <u>Small Entity</u> | <u>Fee (\$)</u>         | <u>Small Entity</u> |                       |
| Utility                 | 310                | 155                 | 510                | 255                 | 210                     | 105                 |                       |
| Design                  | 210                | 105                 | 100                | 50                  | 130                     | 65                  |                       |
| Plant                   | 210                | 105                 | 310                | 155                 | 160                     | 80                  |                       |
| Reissue                 | 310                | 155                 | 510                | 255                 | 620                     | 310                 |                       |
| Provisional             | 210                | 105                 | 0                  | 0                   | 0                       | 0                   |                       |

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

| <u>Fee (\$)</u> | <u>Small Entity</u> |
|-----------------|---------------------|
| 50              | 25                  |
| 210             | 105                 |
| 370             | 185                 |

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | <u>Multiple Dependent Claims</u>     |
|---------------------|---------------------|-----------------|----------------------|--------------------------------------|
| - 20 =              | x                   | =               |                      | <u>Fee (\$)</u> <u>Fee Paid (\$)</u> |

HP = highest number of total claims paid for, if greater than 20.

| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|----------------------|---------------------|-----------------|----------------------|
| - 3 =                | x                   | =               |                      |

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|---|-----------------|----------------------|
| - 100 =             | /50 =               | (round up to a whole number) x                          | =               |                      |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00**SUBMITTED BY**

|                   |                          |                                      |        |           |               |
|-------------------|--------------------------|--------------------------------------|--------|-----------|---------------|
| Signature         | <i>Randy J. Pritzker</i> | Registration No.<br>(Attorney/Agent) | 35,986 | Telephone | 617.646.8000  |
| Name (Print/Type) | Randy J. Pritzker        |                                      |        | Date      | <i>3-6-08</i> |

**Certificate of Mailing Under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 3-6-08Signature: *Patricia Nadeau**Patricia Nadeau*



DOCKET NO.: S1459.70088US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Masashi Enomoto et al.  
Serial No.: 10/822,556  
Confirmation No.: 2616  
Filed: April 12, 2004  
For: PHOTOELECTRIC CONVERSION DEVICE  
FABRICATION METHOD, PHOTOELECTRIC  
CONVERSION DEVICE, ELECTRONIC APPARATUS  
MANUFACTURING METHOD, ELECTRONIC  
APPARATUS, METAL FILM FORMATION METHOD  
AND LAYER STRUCTURE AND SEMICONDUCTOR  
FINE PARTICLE LAYER AND LAYER STRUCTURE  
Examiner: Asha J. Hall  
Art Unit: 1795

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 6th day of March, 2008.

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office action, but before the mailing date of any final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

1344357.1

03/10/2008 RMEBRAHT 00000007 10822556

01 FC:1806 180.00 0P

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the enclosed Japanese Office Action dated December 4, 2007 from Japanese Application No. JP2002-374184.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

Serial No.: 10/822,556  
Conf. No.: 2616

- 3 -

Art Unit: 1795

An early and favorable action is hereby requested.

Respectfully submitted,

By:

Randy J. Pritzker

Randy J. Pritzker, Reg. No. 35,986  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: S1459.70088US00  
Date: 3-6-08